
By: **Delegates Cryor, La Vay, Barkley, Carlson, Stern, Barve, and Shriver**
Introduced and read first time: February 9, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Facilities - Prohibition of Employment**

3 FOR the purpose of prohibiting an individual from being employed at certain juvenile
4 facilities if a certain criminal history records check discloses that the individual
5 has been convicted of a felony, has a probation before judgment disposition for a
6 felony charge, or has a not criminally responsible disposition for a felony charge;
7 and generally relating to juvenile facilities and the prohibition of employment of
8 certain persons.

9 BY repealing and reenacting, without amendments,
10 Article - Family Law
11 Section 5-561(b)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

14 BY adding to
15 Article - Family Law
16 Section 5-561.1
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2000 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Family Law**

22 5-561.

23 (b) The following facilities shall require employees and employers to obtain a
24 criminal history records check under this Part VI of this subtitle:

25 (1) a child care center required to be licensed under Part VII of this
26 subtitle;

1 (2) a family day care home required to be registered under Part V of this
2 subtitle;

3 (3) a child care home required to be licensed under this subtitle or under
4 Article 83C of the Code;

5 (4) a child care institution required to be licensed under this subtitle or
6 under Article 83C of the Code;

7 (5) a juvenile detention, correction, or treatment facility provided for in
8 Article 83C of the Code;

9 (6) a public school as defined in Title 1 of the Education Article;

10 (7) a private or nonpublic school required to report annually to the State
11 Board of Education under Title 2 of the Education Article;

12 (8) a foster care family home or group facility as defined under this
13 subtitle;

14 (9) a recreation center or recreation program operated by State or local
15 government primarily serving minors; or

16 (10) a day or residential camp, as defined in Title 10, Subtitle 16 of the
17 Code of Maryland Regulations, primarily serving minors.

18 5-561.1.

19 AN INDIVIDUAL MAY NOT BE EMPLOYED AT A FACILITY IDENTIFIED IN §
20 5-561(B)(5) OF THIS SUBTITLE IF THE CRIMINAL HISTORY RECORDS CHECK REQUIRED
21 UNDER THIS SUBTITLE DISCLOSES:

22 (1) A CONVICTION OF A FELONY;

23 (2) A PROBATION BEFORE JUDGMENT DISPOSITION FOR A FELONY
24 CHARGE; OR

25 (3) A NOT CRIMINALLY RESPONSIBLE CONVICTION FOR A FELONY
26 CHARGE.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2001.